



## PLANNING & ZONING REPORT

### Zoning Board of Appeals Meeting of May 17, 2022

File # 018-22

**APPLICANTS:** City of Rockford and Rockford Area Convention & Visitors Bureau

**LOCATION:** 815 East State Street

**REQUESTED ACTION:** A Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District.

**EXISTING USE:** Commercial building

**PROPOSED USES:** Commercial building with mural

**DIMENSIONS:** Irregular shape. **SQUARE FOOTAGE:** 28,457 sq. ft.

#### ADJACENT ZONING AND LAND USES:

NORTH:	C-4	Office Building,
EAST:	C-4	Vacant Mixed-Use buildings, Ginestra Watson
SOUTH:	C-4	Spirit of Truth Church, Vacant lot
WEST:	C-4	Los Portales, Vacant lot

**YEAR 2020 PLAN:** CD Mixed Use

**HISTORY:** **File # 018-21:** A Special Use Permit for a building mural in a C-4, Urban Mixed-Use Zoning District was approved June 9, 2021 for the property located at 509 East State Street. This property is located two (2) blocks west of subject property.

**File #028-18:** A Special Use Permit for murals on a building in a C-4, Urban Mixed-Use Zoning District was approved on September 6, 2018 for the property located at 331 East State Street. This property is located four (4) blocks west of the subject property.

**File #032-18:** A Special Use Permit for a mural on a building in a C-4. Urban Mixed-Use Zoning District was approved on September 6, 2019 for the property located at 134 North First Street. This property is five (5) blocks northwest of the subject property.

**File #021-18:** A Special Use Permit for a mural on a bridge in a C-4. Urban Mixed-Use Zoning District was approved on July 23, 2019 for the property located at 96 East State Street and 124 North Water Street. This property is five (5) blocks northwest of the subject property.

**REVIEW COMMENTS:** The Applicant is requesting a Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District. Exhibit A shows that the subject property is located 150 feet west of the East State Street and South 5<sup>th</sup> Street

intersection. The subject property is surrounded by commercial and residential uses (Exhibit B & C).

The Applicant, in conjunction with the Rockford Area Convention & Visitor's Bureau, is proposing a Special Use Permit to allow murals. Within Section 51-010 of the Zoning Ordinance it states, "murals are allowed in the C-4 District by means of a Special Use Permit provided that positive findings of fact are made by City Council".

Exhibit D shows that the proposed location will be on the east side of the building. The building wall is exposed on the east side and visible from East State Street and South 5<sup>th</sup> Street.

Rockford Area Convention & Visitors Bureau, (RACVB) announced in April 2022 that CRE8IV would be returning this year. CRE8IV is a community-building, arts-infused event launched in 2019 as part of RACVB's place making and public art efforts designed to enhance the region for residents and visitors. In its first year, CRE8IV artists painted nine murals in downtown Rockford. Last year, RACVB fundraised and had community support to do eight murals in Rockford and have created 24 murals throughout the Rockford region via CRE8IV since its inception. The locations that have been selected are based on visibility, location and overall pedestrian traffic. The artists for this mural will be Jenny Ustick and Atalie Gagnet. The concept will be based on inclusiveness with a Rockford focus using bold and vibrant colors. Exhibit F shows examples of past work of the artists.

Staff supports the idea of attracting and encouraging the community in promoting murals. Murals are a growing trend and have a positive effect to the community, allowing art apprentices the opportunity to increase their knowledge and experience installing murals and organizing projects along with gaining technical abilities. Additionally, this proposal is bringing awareness of the talented artists in this community and throughout the country.

Exhibit E shows that there have been 13 calls for service for the Police Department in the last 24 months for 815 West State Street.

Staff feels that this mural will enhance the surrounding area and feels the Applicant's proposed request is reasonable and recommends approval.

**RECOMMENDATION:** Staff recommends **APPROVAL** of a Special Use Permit for a Mural on a building in a C-4, Urban Mixed-Use Zoning District, subject to the following conditions:

1. Submittal of mural elevation and placement of mural on building for Staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed artwork shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

See attached findings of fact.

**FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT**  
**FOR A MURAL**  
**IN A C-4, URBAN MIXED-USE ZONING DISTRICT**  
**LOCATED AT 815 EAST STATE STREET**

**Approval** of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance, or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been, are being, or will be provided.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-4 District in which it is located.



Exhibit A  
815 East State Street  
SUP  
#018-22

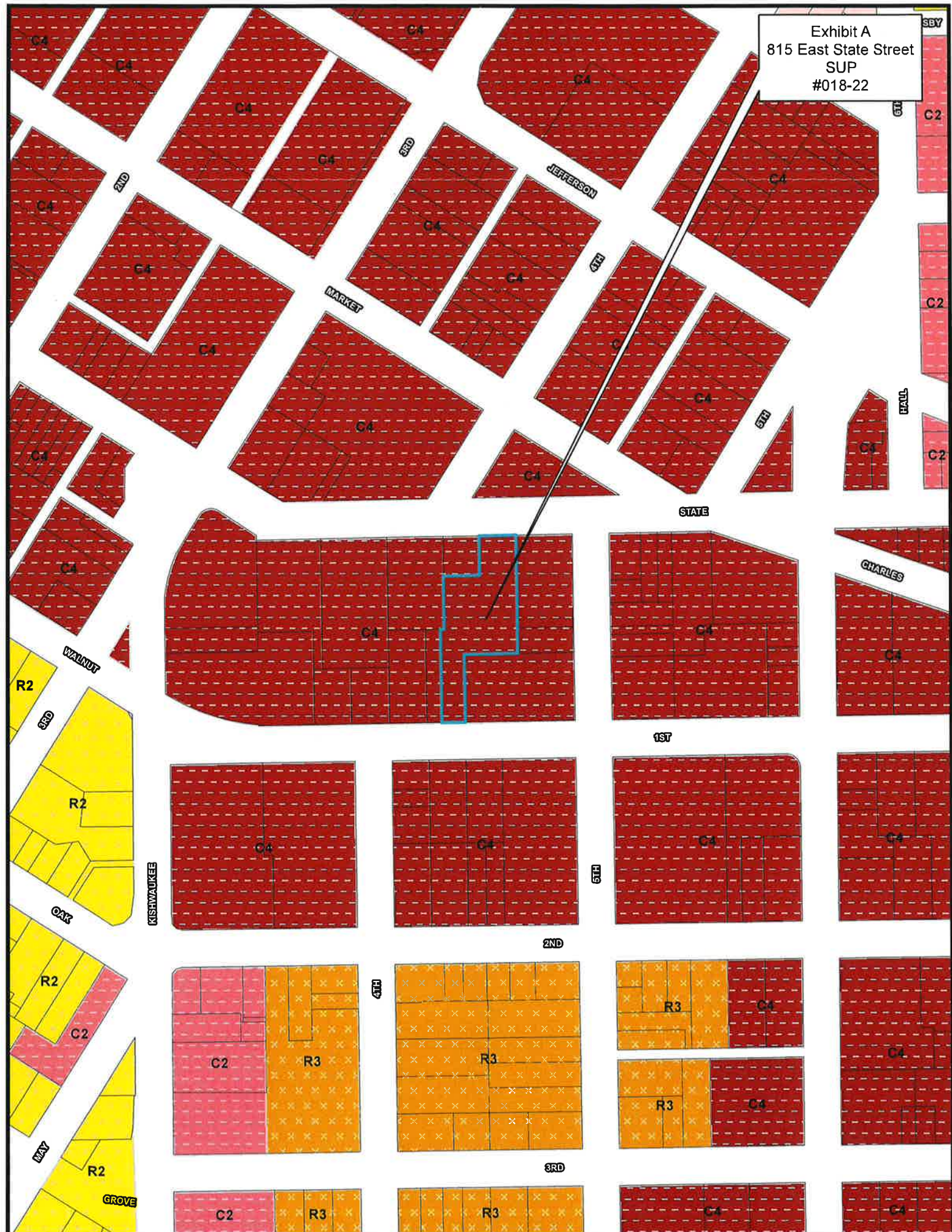




Exhibit B  
815 East State Street  
SUP  
#018-22

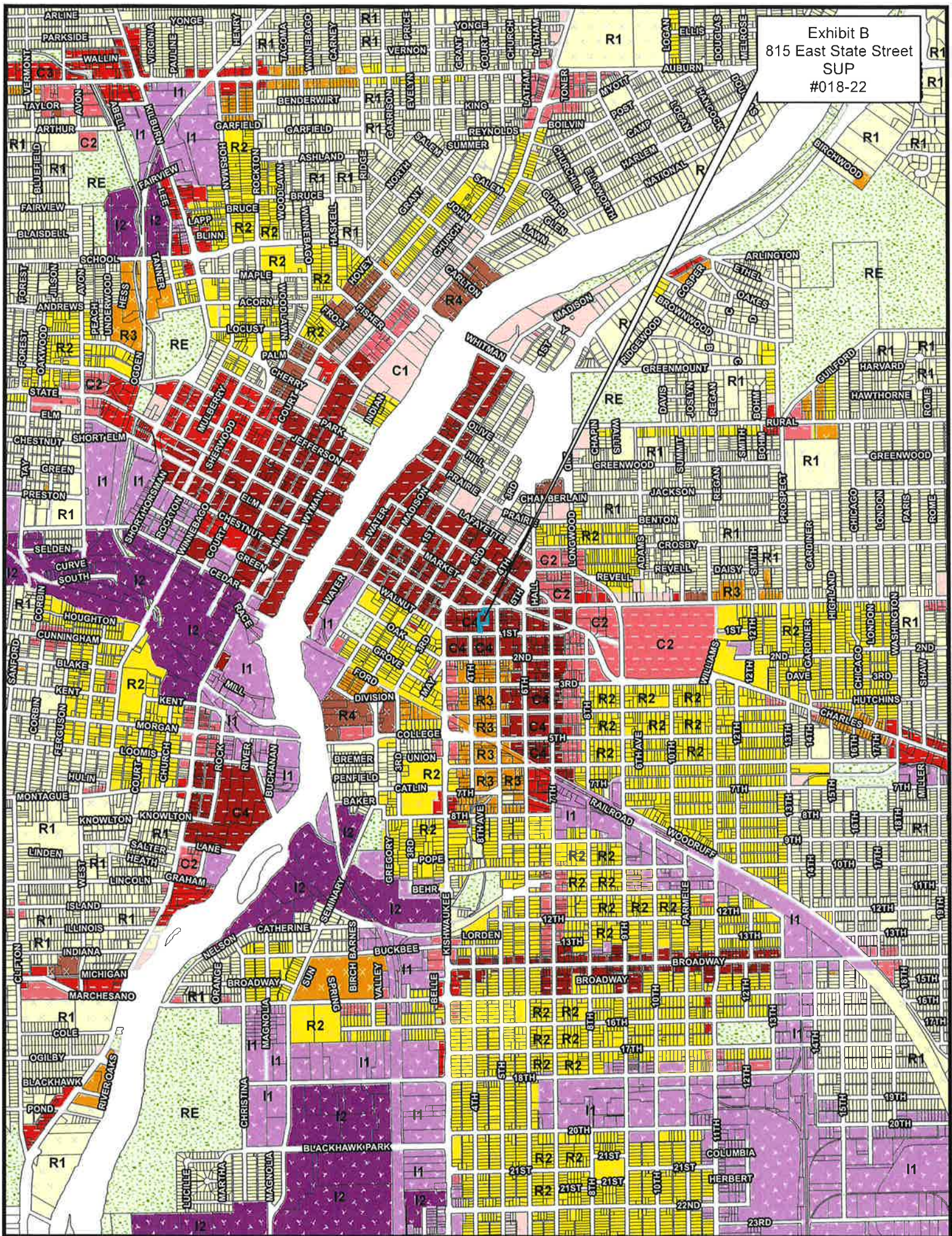
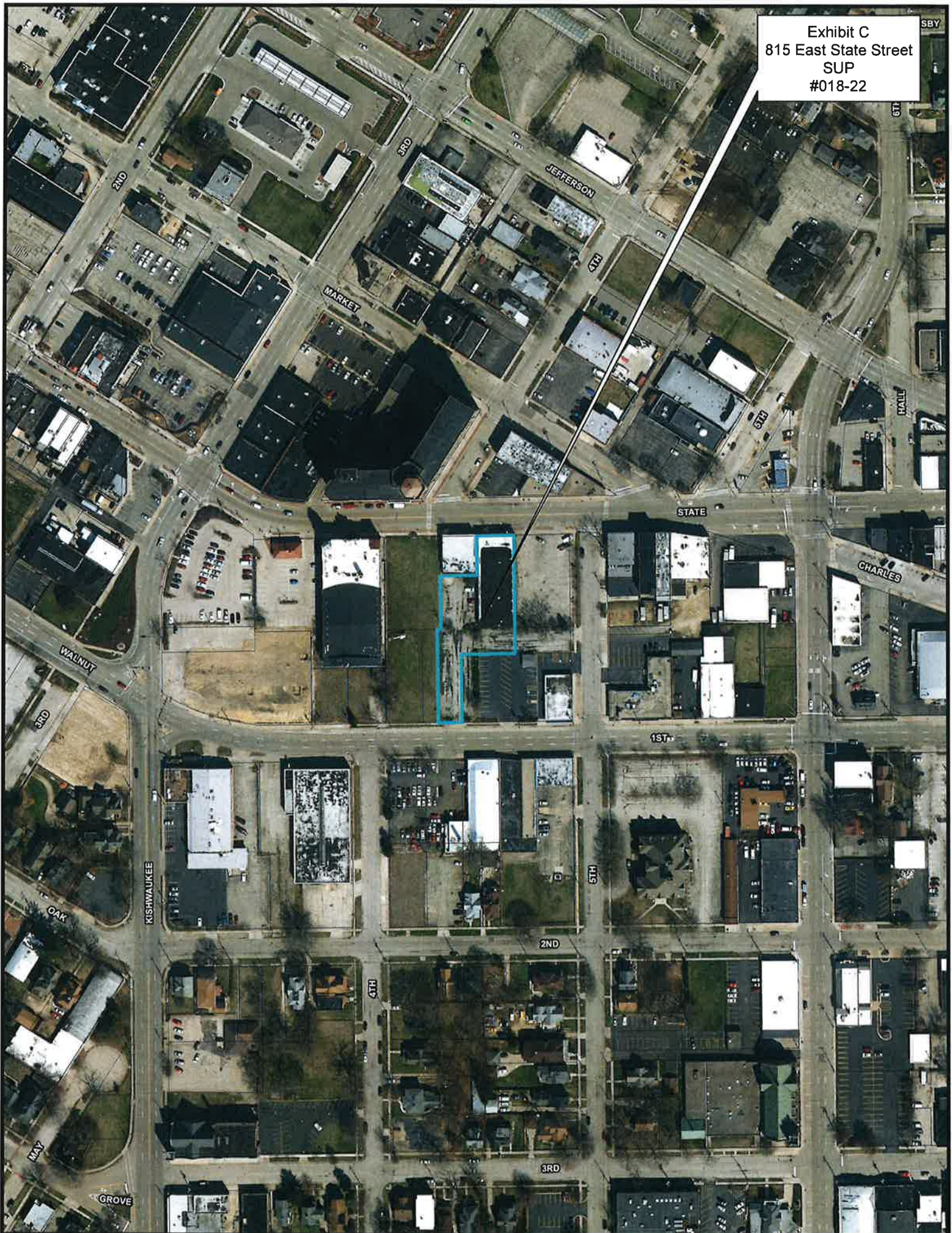




Exhibit C  
815 East State Street  
SUP  
#018-22







815 E State St  
East facing

Please note that calls are subject to change as Calls for Service are submitted. Offenses represent the initial call: not the verified offense.

City of Rockford Police Department  
Calls for Service For  
5/3/2020 to 8/18/2020

Exhibit E  
815 East State Street  
SUP  
#018-22



CFS Number	CFSDate	Time	Reported Offense (Non-Verified)
20-075480	07/11/2020	9:49	7977 Central Reporting Unit - DPR
20-080593	07/23/2020	15:03	1310 Criminal Damage to Property

Location
815 E STATE ST
815 E STATE ST

Data obtained from NetRMS.  
Produced: 5/4/2022 11:29:14AM

Please note that the Call for Service is specified for a property. Location is not specific to any person, place, or event. Call for service location is tied to the location to where the call was received.



#018-22

Call Number	Event Date	Location	Situation Reported	Call Disposition	Agency
21-233775	2021-10-27T13:12:07	815 E State St	ABANDONED VEHICLE	NRPT - NO REPORT	Rockford Police Department
21-164884	2021-08-03T01:05:56	815 E State St	911 CELLULAR HANG UP	911 CLOSE W/O SEND TO PENDING	Rockford Police Department
21-154402	2021-07-21T12:57:57	815 E State St	PUBLIC COMPLAINT ROUTINE	NRPT - NO REPORT	Rockford Police Department
21-147046	2021-07-12T17:50:15	815 E State St	PUBLIC COMPLAINT ROUTINE	ADV - ADVISED	Rockford Police Department
21-090068	2021-05-05T13:16:16	815 E State St	SUSPICIOUS PERSON	NRPT - NO REPORT UTL - UNABLE TO LOCATE / UTL - UNABLE TO LOCATE	Rockford Police Department
21-085293	2021-04-29T17:02:18	815 E State St	PUBLIC COMPLAINT ROUTINE	911 CLOSE W/O SEND TO PENDING	Rockford Police Department
21-075571	2021-04-16T18:44:28	815 E State St	911 MISDIAL	RPT - REPORT	Rockford Police Department
21-013959	2021-01-21T15:48:35	815 E State St	THEFT REPORT	RPT - REPORT	Rockford Police Department
21-011836	2021-01-18T15:50:58	815 E State St	PUBLIC COMPLAINT ROUTINE	ADV - ADVISED / ADV - ADVISED	Rockford Police Department
20-025232	2020-09-13T11:56:36	815 E State St	PUBLIC COMPLAINT ROUTINE	NRPT - NO REPORT	Rockford Police Department
20-009817	2020-08-25T16:59:50	815 E State St	PUBLIC COMPLAINT ROUTINE		Rockford Police Department





**Wall:** Novedades Azteca, 815 E. State St. (East facing)

**Artist:** Jenny Ustick & Atalie Gagnet

**Concept:** Inclusiveness, Rockford focused using bold & vibrant colors

\*examples of past work



Exhibit F  
815 East State Street  
SUP  
#018-22